

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SIDDNEKA MITCHELL, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TONY D. STREETS,

Respondent-Appellant.

and

ANNETTE STREETS,

Respondent.

UNPUBLISHED
February 15, 2005

No. 255761
Kent Circuit Court
Family Division
LC No. 01-062100-NA

In the Matter of SIDDNEKA MITCHELL, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANNETTE JONES STREETS,

Respondent-Appellant.

and

TONY D. STREETS,

Respondent.

No. 256816
Kent Circuit Court
Family Division
LC No. 01-062100-NA

Before: Smolenski, P.J., and Saad and Bandstra, JJ.

BANDSTRA, J. (*concurring*).

I concur in the decision to affirm the termination of the parents' rights in this case and write separately only to warn against any potential abuse of the anticipatory neglect doctrine. See *In re Powers*, 208 Mich App 582, 588, 592-593; 528 NW2d 799 (1995). As stated in *Powers*, "how a parent treats one child is certainly probative of how that parent may treat other children." *Id.* at 588. However, we should never jump to the conclusion that, because a parent mistreated one child, parental rights as to other children can also legitimately be terminated. In this case, termination was justified as to respondent-mother because of the extremely short time between the prior termination and the birth of the minor child here, respondent-mother's failure, for whatever reason, to avail herself of services reasonably determined to be necessary for her to achieve an adequate level of parenting skills and the trial court's intimate knowledge of respondent-mother's situation as to all of her children.

/s/ Richard A. Bandstra